

Magistrate Judge Michelle L. Peterson

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,  
Plaintiff,

v.

ANDREW HEYWARD,  
Defendant.

NO. **MJ19-409**

**COMPLAINT for VIOLATIONS**

Title 18, United States Code, Section  
111(a)(1)

BEFORE, The Honorable Michelle L. Peterson, United States Magistrate Judge,  
U. S. Courthouse, Seattle, Washington.

The undersigned complainant being duly sworn states:

**COUNT 1**

**(Assault and Resisting of a Federal Officer)**

On or about August 30, 2019, at Seattle, within the Western District of  
Washington, ANDREW HEYWARD, knowingly, intentionally, and forcibly assaulted,  
resisted, opposed, impeded, and interfered with an officer and employee of the United  
States, and a person assisting an officer and employee of the United States, that is R.D.,  
while R.D. was engaged in, and on account of, his performance of official duties.

All in violation of Title 18, United States Code, Section 111(a)(1).

**AFFIANT'S BACKGROUND**

1. I am employed as a Law Enforcement Specialist with the Federal Protective Service, U.S. Department of Homeland Security. I have been employed by the Federal Protective Service for two years and attended the Uniformed Police Training Program at The Federal Law Enforcement Training Center and Advanced Training in 2017. I am part of the Rapid Protection Service.

2. The facts in this affidavit come from my personal observations and information obtained from other law enforcement officers and witnesses. I have also read reports written by law enforcement officers regarding the incident in this case. This affidavit is intended to show merely that there is sufficient probable cause for the above charge and does not set forth all of my knowledge about this matter.

**SUMMARY OF PROBABLE CAUSE**

3. On August 30, 2019, at approximately 7:00 a.m., I was notified by Inspector B. Meinders of an incident that had occurred at 5:50 a.m. that morning. Inspector Meinders informed me a male subject, later identified as ANDREW HEYWARD, had assaulted a female and a uniformed armed Protective Security Officer (PSO)<sup>1</sup> on federal property at the Jackson Federal Building (JFB). The JFB is located at 915 2nd Ave, Seattle, Washington. Inspector Meinders requested that I arrive at JFB to transport ANDREW HEYWARD.

4. At 5:55 a.m. on August 30, 2019, dispatch informed Inspector Meinders that a male, later identified as ANDREW HEYWARD was outside JFB and had struck a female subject with a closed fist on her face. PSOs at JFB witnessed the assault and ran outside of the first floor of JFB to stop the assault. PSO R. Davis and PSO Dempsey attempted to stop HEYWARD from further assaulting the female subject. PSO Davis

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<sup>1</sup> Protective Security Officers are contracted by the Federal Protective Service to provide security services to agencies of the federal government. PSOs typically wear a grey uniform shirt, black slacks, a silver badge over their left breast pocket, name plate over the right breast pocket, with company insignia on each shoulder. They receive mandated training by the federal and state government.

1 gave verbal commands for HEYWARD to stop. HEYWARD then turned toward the  
2 PSOs with closed fists and stated, "What the fuck are you going to do about it?"

3 5. HEYWARD ran toward the PSOs and pushed PSO Davis with both hands.  
4 PSO Davis pushed HEYWARD back to create space and told HEYWARD to "Stay back  
5 or he would be sprayed." HEYWARD continued to advance on the PSOs and PSO Davis  
6 sprayed HEYWARD with Oleoresin Capsicum (OC) spray with effective results.

7 6. PSOs were able to gain control of HEYWARD to bring him to the ground  
8 on his stomach. As HEYWARD was approaching the ground, he swung his open right  
9 hand and struck PSO Davis, knocking the OC spray out of his hand. The strike caused a  
10 laceration on the palm of PSO Davis's right hand. PSOs attempted to handcuff  
11 HEYWARD. HEYWARD had both hands under his body, resisting arrest. PSO Davis  
12 attempted to reach under HEYWARD's face to pull HEYWARD's hand out. PSO Davis  
13 believed he was bit by HEYWARD. PSO Davis noticed a laceration on his left hand  
14 from HEYWARD's teeth.

15 7. The PSOs were able to handcuff HEYWARD. Seattle Fire arrived on  
16 scene and administered medical aid to HEYWARD and the PSOs.

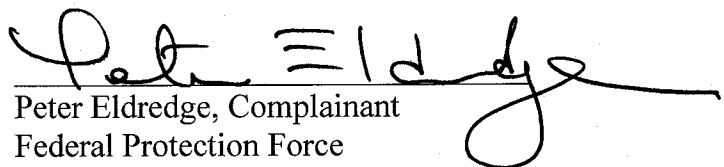
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CONCLUSION


8. Based on the foregoing, I respectfully submit that there is probable cause to believe that ANDREW HEYWARD committed the crime of assault, in violation of Title 18, United States Code, Section 111(a)(1).

I declare under penalty of perjury that the statements above are true and correct to the best of my knowledge and belief.

  
Peter Eldredge, Complainant  
Federal Protection Force  
U.S. Department of Homeland Security

Based on the Complaint and Affidavit sworn to before me, and subscribed in my presence, the Court hereby finds that there is probable cause to believe the Defendant committed the offense set forth in the Complaint.

DATED this 30 day of August, 2019.

  
MICHELLE L. PETERSON  
United States Magistrate Judge